

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) **MAIL STOP**
Raphael Bachmann) Group Art Unit: 2629
Application No.: 10/530,746) Examiner: YUK CHOW
Filed: July 22, 2005) Confirmation No.: 7343
For: RAPID INPUT DEVICE)
))

**RESPONSE TO
ELECTION OF SPECIES REQUIREMENTS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated October 7, 2009, the Examiner has indicated that
an election of one of the following groups of species is required:

Species 1: Figure 1;
Species 2: Figure 2;
Species 3: Figure 3;
Species 4: Figure 4;
Species 5: Figure 5;
Species 6: Figure 6;
Species 7: Figure 7;
Species 8: Figure 8;
Species 9: Figure 9;
Species 10: Figure 10;
Species 11: Figure 11;
Species 12: Figure 12;
Species 13: Figure 13;
Species 14: Figure 14;

Pursuant to the Examiner's requirement, Applicants elect Species 3, with
traverse.

According to the Examiner's groupings, Claims 1-24, 27-30, 41, and 44-51 are generic to all species identified by the Examiner. Claims 26 reads on Species 3 as identified by the Examiner. As such, claims 1-24, 26-30, 41 and 44-51 read on the elected Species.

Claims 25, 31-40, 42-43 and 52 are directed to non-elected Species. However, because these claims are directed to a reasonable number of non-elected Species, it is requested that they be allowed upon allowance of a generic claim.

Applicant reserves the right to file a divisional application(s) with regard to any non-elected claims.

The election of species requirement is traversed, as it will not reduce the workload of the U.S. Patent and Trademark Office or simplify prosecution of the application. As set forth in MPEP §803, there are two criteria for a proper restriction and/or election of species requirement between patentably distinct inventions: (1) the inventions must be independent or distinct as claimed; and (2) there must be a **serious burden** on the Examiner if restriction is not required. This portion of the MPEP requires that if the search and examination of an entire application can be made without serious burden, the Examiner **must** examine it on the merits, even though it includes claims to distinct or independent inventions. Thus, Applicant respectfully requests withdrawal of the election of species requirement.

Early examination and favorable action on the claims are respectfully requested.

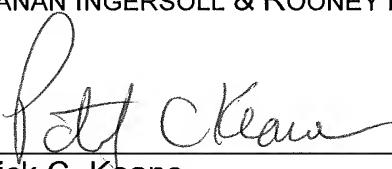
Should any questions arise in connection with this application, or should the Examiner feel that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: December 7, 2009

By:


Patrick C. Keane
Registration No. 32858

Customer No. 21839
703 836 6620